

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

FILED
23 JUN 2004
DISTRICT COURT
BY: [Signature]

THE SCO GROUP, INC.

Plaintiff/Counterclaim-
Defendant,

vs.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-
Plaintiff.

ORDER

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Plaintiff The SCO Group, Inc. ("SCO") through its attorney Brent O. Hatch of the law firm Hatch, James & Dodge and Defendant International Business Machines Corporation ("IBM") through its attorney Todd Shaughnessy of the law firm Snell & Wilmer appeared before the Court on June 8, 2004, in a telephonic hearing. The Court having heard the arguments of counsel, considered all other relevant matters of record, and for good cause appearing,

HEREBY ORDERS as follows:

Any affidavit or declaration intended to be used at a deposition is to be produced to the opposing party at least forty-eight hours prior to the beginning of the deposition, or such affidavit or declaration shall not be used at the deposition.

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SO ORDERED this 22 day of June, 2004.

BY THE COURT:



Honorable Brooke C. Wells
United States Magistrate Judge

APPROVED AS TO FORM:

By: 

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Counsel for Plaintiff The SCO Group, Inc.

alt

United States District Court
for the
District of Utah
June 23, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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